

REMARKS

By this Amendment, claim 29 is amended. Claims 1-55 are pending and subject to restriction. It is presumed that the claim at page 91, lines 19-21 originally identified as claim 26 has been renumbered by the Examiner as claim 27, and all subsequent claims and internal references to other original claims 27 and higher have been renumbered accordingly.

The amendment to claim 29 is strictly directed to surplus language inadvertently appended to the end of original claim 29, which ends by definition at the first period. Attached hereto is a paper, captioned "Amendment Appendix" showing the marked-up version of the changes made by this Amendment.

In response to the restriction requirement, Applicants hereby provisionally elect Group I, claims 1-27 and 29, drawn to a method for creating a nucleic acid multiplex. This election is made with traverse.

A restriction requirement between inventions is proper only where there is a serious burden on the Patent Office to examine all of the claims in a single application, even when it appears that appropriate reasons exist for a restriction requirement. MPEP §803. Applicants respectfully submit that there would be no serious burden on the Patent Office to examine all of the present claims because the subject matter of Groups I-V is sufficiently

related that a search of any one group would encompass a search for the subject matter of the remaining groups. In particular, the method of claim 1 is common to all five groups, and a search for art relating to the subject matter of claim 1 would be central to searching for art relating to each of the other four groups of claims. Thus, the restriction requirement is improper and should not be maintained.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for initial examination and allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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AMENDMENT APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

29. (Amended) A method of Claim 1 wherein the multiplex created is a quadruplex, in step (1) the Watson-Crick duplex is a first Watson-Crick duplex, and in step (1) the sufficient number of single-stranded molecules is 2, those single-stranded molecules are in a second Watson-Crick duplex, and in step (2) the quadruplex is formed from said first and second duplexes.[Preferably step (1) is done with the two single-stranded molecules already in the second Watson-Crick duplex.]